

Appendix A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
DIVISION

Pamela Elizabeth Branch

versus

Harris County Flood Control  
9900 Northwest Freeway  
Houston, Texas 77092

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§  
§  
§  
§  
§  
§

CIVIL ACTION NO. \_\_\_\_\_

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This action is brought under Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred by Title 42 United States Code, Section § 2000e-5.

2. The Plaintiff is:

Address:

County of Residence:

3. The defendant is:

Address:

Pamela E. Branch

23958 Norrington Estates  
Conroe, Texas 77385

Montgomery

Harris County Flood Control

9900 Northwest Freeway

Houston, Texas 77092



Check here if there are additional defendants. List them on a separate sheet of paper with their complete addresses.

4. The plaintiff has attached to this complaint a copy of the charges filed on 3-10-2016 with the Equal Opportunity Commission.

5. On the date of July 11, 2019, the plaintiff received a Notice of Right to Sue letter issued by the Equal Employment Opportunity Commission; a copy is attached.

6. Because of the plaintiff's:

- (a) ☒ race
- (b) ☐ color
- (c) ☒ sex
- (d) ☐ religion
- (e) ☐ national origin,

the defendant has:

- (a) ☐ failed to employ the plaintiff
- (b) ☒ terminated the plaintiff's employment
- (c) ☐ failed to promote the plaintiff
- (d) ☒ other: terminated as a result of a layoff  
However, during my tenure I was unable  
to do my job; Very hostile work environment

7. When and how the defendant has discriminated against the plaintiff:

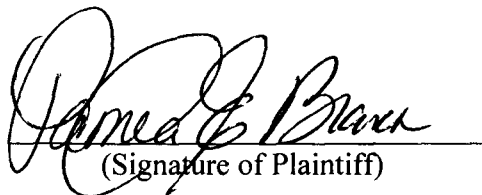
Several occasions was not able to manage team  
was written up without cause, I was disciplined, mandated  
to take excessive amount of training; falsely accused  
Harassed by employees on several occasions, singled out

8. The plaintiff requests that the defendant be ordered:

- (a) ☐ to stop discriminating against the plaintiff
- (b) ☐ to employ the plaintiff
- (c) ☐ to re-employ the plaintiff
- (d) ☐ to promote the plaintiff

(e) ☐ to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and that;

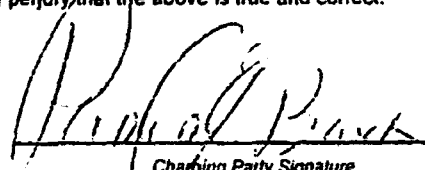
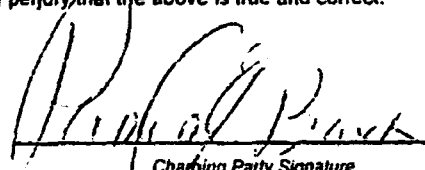
(f) ☒ the Court grant other relief, including injunctions, damages, costs and attorney's fees.

  
(Signature of Plaintiff)

Address: 23958 Dorrington Estates  
Conroe, Texas 77385  
Telephone: 832 403 7359

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: Agency(ies) Charge No(s).	
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
<b>Texas Workforce Commission Civil Rights Division</b>		<b>846-2016-12042</b>	
State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.)		Home Phone (Incl. Area Code)	Date of Birth
<b>Ms. Pamela Branch</b>		<b>(832) 403-7359</b>	<b>01-21-1970</b>
Street Address		City, State and ZIP Code	
<b>23958 Dorrington Estates, Conroe, TX 77385</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below)			
Name		No. Employees, Members	Phone No. (Include Area Code)
<b>HARRIS COUNTY FLOOD CONTROL DISTRICT</b>		<b>500 or More</b>	<b>(713) 684-4000</b>
Street Address		City, State and ZIP Code	
<b>9900 Northwest Frwy, Houston, TX 77092</b>			
<b>RECEIVED</b>			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address		City, State and ZIP Code	
		<b>HOUSTON DISTRICT OFFICE</b>	
DISCRIMINATION BASED ON (Check appropriate box(es))		<b>EEOC</b>	
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest                      Latest <b>12-03-2015                      02-09-2016</b>	
		<input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed attach extra sheet(s))			
<p>In or about early December 2015, I began to notice that Anthony Bacarisse, Director of Support Services and Kathy Roach, Director of Human Resources subjected me to different terms and conditions of employment because of my protected class.</p> <p>Since early December 2015, I have not been able to do my job as a Helpdesk Manager properly. Whenever I tried to exercise discipline over my insubordinate team members, my supervisors warned me not to do it without them being present. This condition, however, is not the case for the other IT managers in the department. I am the only Black IT manager in my department. When I sought help in dealing with my team, I was instead placed on a PIP for engaging in conduct that the other non-Black managers routinely engaged in.</p> <p>I believe that I was discriminated against because of my Sex (Female), Race (Black), in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.  I declare under penalty of perjury that the above is true and correct.	<b>NOTARY – When necessary for State and Local Agency Requirements</b>  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">             Date         </div> <div style="text-align: center;">             Charging Party Signature         </div> </div>	

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**DISMISSAL AND NOTICE OF RIGHTS**

To: **Pamela E. Branch**  
**23958 Dorrington Estates**  
**Conroe, TX 77385**

From: **Houston District Office**  
**Mickey Leland Building**  
**1919 Smith Street, 7th Floor**  
**Houston, TX 77002**



On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**846-2016-12042**

**Elaine White,**  
**Investigator**

**(713) 651-4975****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission

*Maryna Guerra*  
**Rayford O. Irvin,**  
**District Director**

*July 2, 2019.*  
**Date Mailed**

Enclosures(s)

cc: **Vince Ryan**  
**Harris County Attorney**  
**HARRIS COUNTY ATTORNEY'S OFFICE**  
**1019 Congress, 15th Floor**  
**Houston, TX 77002**

**Lowell Kelg, Executive Director**  
**Texas Workforce Comm - Civil Rights Division**  
**101 East 15th St., Room 144T**  
**Austin, TX 78778-0001**